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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/603,108	06/22/2000	Denis Serenyi	04860.P2535	9213
7590 10/31/2005			EXAMINER	
James C Scheller Jr Blakely Sokoloff Taylor & Zafman LLP 12400 Wilshire Boulevard 7th Floor Los Angeles, CA 90025			DUONG, THOMAS	
			ART UNIT	PAPER NUMBER
			2145	
DATE MAILED: 10/31/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/603,108

Applicant(s)

SERENYI ET AL.

Examiner

Thomas Duong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8, 10-13, 15-20, 69-88, 137-139, 141-142, and 145 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 10-13, 15-20, 69-88, 137-139, 141-142, and 145 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Request for Continued Examination***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.
2. Amendment received August 8, 2005 has been entered into record. *Claims 1-6, 8, 10-13, 15-20, 69-88, 137-139, 141-142, and 145* remain pending.

### ***Response to Amendment***

3. This office action is in response to the applicants Amendment filed on August 8, 2005. Applicant amended *claims 1, 3, 12, 69, 71, 80, 137-139, 141-142, and 145*. *Claims 1-6, 8, 10-13, 15-20, 69-88, 137-139, 141-142, and 145* are presented for further consideration and examination.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6, 8, 10-13, 15-20, 69-74, 76-88, 137-139, 141-142 and 145 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lambert et al. (US006629138B1), in view of Patki et al. (US006252889B1), and further in view of Bushmitch et al. (US006275471B1).

6. With regard to claims 1, 12, 69, 80, 137, 139, 141-142 and 145, Lambert discloses,

- *transmitting a request for streaming media data to be delivered to said caching proxy server; (Lambert, col.5, lines 28-30; col.6, lines 10-12; fig.2-3)*  
Lambert discloses methods for obtaining (i.e. receiving) streaming media data from data stream servers and storing the streaming media data at a caching proxy server (Lambert, fig.3).
- *receiving said streaming media data and storing said streaming media data on a storage device which is capable of being controlled by said caching proxy server; and (Lambert, col.12, lines 57-60; col.6, lines 54-57; fig.3; fig.6)*  
Lambert discloses methods for obtaining (i.e. receiving) streaming media data from data stream servers and storing the streaming media data at a caching proxy server (Lambert, fig.3).

However, Lambert does not explicitly disclose,

- *transmitting a request for one or more Real-Time Protocol ("RTP") extensions associated with said streaming media data, wherein each of said one or more RTP extensions represents a type of related or unrelated data that is necessary for performing a particular transmission operation for a packet of said streaming media data;*

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Patki teaches,

- *transmitting a request for one or more Real-Time Protocol ("RTP") extensions associated with said streaming media data, wherein each of said one or more RTP extensions represents a type of related or unrelated data that is necessary for performing a particular transmission operation for a packet of said streaming media data;* (Patki, col.5, line 26 – col.6, line 40)

Patki teaches of *"the use of RTP and the use of an RTP session manager to handle the receipt of data (in the preferred embodiment, video or audio format)"* (Patki, col.5, lines 45-47). Specifically, Patki discloses that *"the RTP Session Manager (RTPSM) allows a local participant to participate (send or receive data) in a single RTP 'session'"* (Patki, col.5, lines 52-54). According to Patki, after *"[receiving] data streams from the network and [providing] them, via RTPSocket203, to RTP Session Manager 204. The Session Manager 204 inspects the RTP packet and determines what the encoding is [and] depending of the type of encoding, the Session Manager 204 identifies and invokes the appropriate depacketizer 206"* (Patki, col.6, lines 4-9) based on the information included in the RTP packet. Hence, Patki teaches of receiving RTP data that is associated with the streaming data, wherein the appropriate depacketizer is invoked based on the received data.

However, Lambert and Patki do not explicitly disclose,

- *receiving said one or more RTP extensions associated with said streaming media data, wherein each of said one or more RTP extensions is a sub-extension in an extensible extended RTP header of the packet of said streaming media data, wherein the sub-extension has a name code, which uniquely*

*identifies and describes the type of data in the sub-extension, and a sub-extension identification (ID) identifying the sub-extension within each RTP packet.*

Bushmitch teaches,

- *receiving said one or more RTP extensions associated with said streaming media data, wherein each of said one or more RTP extensions is a sub-extension in an extensible extended RTP header of the packet of said streaming media data, wherein the sub-extension has a name code, which uniquely identifies and describes the type of data in the sub-extension, and a sub-extension identification (ID) identifying the sub-extension within each RTP packet.* (Bushmitch, col.1, lines 30-46; col.3, lines 23-25, lines 35-38, lines 44-61; col.4, line 29 – col.5, line 28; col.10, lines 13-20)

Bushmitch teaches that RTP can “*provide other delivery services needed to implement a robust real-time protocol, including entity identifications, session management, and reliability services*” (Bushmitch, col.3, lines 53-56). Bushmitch discloses that the header extension area of the RTP data packet can be used for stream-specific data transmittal (Bushmitch, col.5, lines 15-28). According to Bushmitch, “*by setting extension field to one, the header extension area carries the remaining part of the logical SSRC. This remaining part includes the 32-bit IP address of sender entity and the Object ID (64-bit) for receiver entity which is put into the extension header of the data packet*” (Bushmitch, col.5, lines 18-23). Hence, Bushmitch teaches using the header extension area of the data packet to transmit additional data information associated with the data packet and

ultimately the media stream. In this case, the additional information carried in the header extension is the Object ID, which is a unique system identifier.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Patki with the teachings of Lambert to convey information regarding the content of one or more corresponding data streams of the data stream servers. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Bushmitch with the teachings of Lambert and Patki to provide for reliable real-time data streaming in a multimedia delivery system while utilizing best effort unreliable network services (e.g. Internet).

7. With regard to claims 3, 71 and 138, Lambert discloses,

- *responding to the request with a response indicating a capability of the server to support the request; and (Lambert, col.8, lines 3-7)*

However, Lambert does not explicitly disclose,

- *receiving a request for streaming media data, said request including a request for one or more Real-Time Protocol ("RTP") extensions associated with said streaming media data, wherein each of said one or more RTP extensions represents a type of related or unrelated data that is necessary for performing a particular transmission operation for a packet of said streaming media data;*
- *sending the requested one or more RTP extensions associated with said streaming media data, wherein each of said one or more RTP extensions is a sub-extension in an extensible extended RTP header of the packet of said streaming media data, wherein the sub-extension has a name code, which*

*uniquely identifies and describes the type of data in the sub-extension, and a sub-extension identification (ID) identifying the sub-extension within each RTP packet.*

Patki teaches,

- *sending the requested data associated with said streaming media data, wherein each of said one or more RTP extensions is a sub-extension in an extensible extended RTP header of the packet of said streaming media data. (Patki, col.5, line 26 – col.6, line 40)*

Patki teaches of *“the use of RTP and the use of an RTP session manager to handle the receipt of data (in the preferred embodiment, video or audio format)”* (Patki, col.5, lines 45-47). Specifically, Patki discloses that *“the RTP Session Manager (RTPSM) allows a local participant to participate (send or receive data) in a single RTP ‘session’”* (Patki, col.5, lines 52-54). According to Patki, after *“[receiving] data streams from the network and [providing] them, via RTPSocket203, to RTP Session Manager 204. The Session Manager 204 inspects the RTP packet and determines what the encoding is [and] depending of the type of encoding, the Session Manager 204 identifies and invokes the appropriate depacketizer 206”* (Patki, col.6, lines 4-9) based on the information included in the RTP packet. Hence, Patki teaches of receiving RTP data that is associated with the streaming data, wherein the appropriate depacketizer is invoked based on the received data.

Bushmitch teaches,

- *sending the requested one or more RTP extensions associated with said streaming media data, wherein each of said one or more RTP extensions is a*



sub-extension in an extensible extended RTP header of the packet of said streaming media data, wherein the sub-extension has a name code, which uniquely identifies and describes the type of data in the sub-extension, and a sub-extension identification (ID) identifying the sub-extension within each RTP packet. (Bushmitch, col.1, lines 30-46; col.3, lines 23-25, lines 35-38, lines 44-61; col.4, line 29 – col.5, line 28; col.10, lines 13-20)

Bushmitch teaches that RTP can *“provide other delivery services needed to implement a robust real-time protocol, including entity identifications, session management, and reliability services”* (Bushmitch, col.3, lines 53-56). Bushmitch discloses that the header extension area of the RTP data packet can be used for stream-specific data transmittal (Bushmitch, col.5, lines 15-28). According to Bushmitch, *“by setting extension field to one, the header extension area carries the remaining part of the logical SSRC. This remaining part includes the 32-bit IP address of sender entity and the Object ID (64-bit) for receiver entity which is put into the extension header of the data packet”* (Bushmitch, col.5, lines 18-23). Hence, Bushmitch teaches using the header extension area of the data packet to transmit additional data information associated with the data packet and ultimately the media stream. In this case, the additional information carried in the header extension is the Object ID, which is a unique system identifier.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Patki with the teachings of Lambert to convey information regarding the content of one or more corresponding data streams of the data stream servers. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the

teachings of Bushmitch with the teachings of Lambert and Patki to provide for reliable real-time data streaming in a multimedia delivery system while utilizing best effort unreliable network services (e.g. Internet).

8. With regard to claims 2 and 70, Lambert, Patki and Bushmitch disclose,
  - *storing said data one or more RTP extensions associated with said streaming media data in said storage device.* (Bushmitch, col.3, lines 23-25, lines 35-38, lines 44-61; col.4, line 66 – col.5, line 28; col.10, lines 13-20)
9. With regard to claims 4, 13, 72 and 81, Lambert, Patki and Bushmitch disclose,
  - *wherein said sending uses a real-time transport protocol (RTP)* (Patki, col.5, line 26 – col.6, line 40)
10. With regard to claims 5 and 73, Lambert, Patki and Bushmitch disclose,
  - *wherein said request may be made by a caching proxy server or a client* (Lambert, col.5, lines 30-33, lines 35-38, lines 60-61; col.6, lines 10-12)
11. With regard to claims 6, 10-11, 16, 19-20, 74, 78-79, 84 and 87-88, Lambert, Patki and Bushmitch disclose,
  - *wherein the server responding with an echo only if it supports the request* (Lambert, col.8, lines 3-7)

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12. With regard to claims 8, 17-18, 76-77, 82 and 85-86, Lambert, Patki and Bushmitch disclose,

- *wherein the extensible extended header comprises an extension name and an extension identification (m) associated with each separate RTP extension.*

(Bushmitch, col.5, lines 15-28)

13. With regard to claims 15 and 83, Lambert, Patki and Bushmitch disclose,

- *wherein said sending a request may be for one or more various and unrelated types of streaming media data to be sent at a time* (Lambert, col.5, lines 12-16;

Bushmitch, col.3, lines 33-43)

### **Response to Arguments**

14. Applicant's arguments with respect to *claims 1, 3, 12, 69, 71, 80, 137-139, 141-142, and 145* have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:


- RTP: A Transport Protocol for Real-Time Applications (RFC 1889) specifically discloses that "an extension mechanism is provided to allow individual implementations to experiment with new payload-format-independent functions that require additional information to be carried in the RTP data packet header" (RFC 1889, sec.5.3.1).

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16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on 571/272-3933. The fax phone numbers for the organization where this application or proceeding is assigned are 571/273-8300 for regular communications and 571/273-8300 for After Final communications.

*Thomas Duong (AU2145)*

*October 26, 2005*

  
JASON CARDONE  
SIC AU2145